
A BILL FOR AN ACT

RELATING TO THE CIVIL PROCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 607-4, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) Fees of sheriff, deputy sheriff, police officer, or
4 independent civil process server from the department of public
5 safety's list under section 353C-10:

6 (1) For serving any criminal summons, warrant, attachment,
7 or other criminal process, \$30 effective July 1, 2001.

8 This fee is payable to a sheriff, deputy sheriff, or
9 police officer. Service of criminal summons, warrant,
10 attachment, or other criminal process shall be made
11 only by persons authorized to serve criminal summons.

12 (2) For serving any civil summons, warrant, attachment, or
13 other civil process, [~~\$25~~] \$__ effective July 1,
14 [~~2001-~~] 2015.

15 (3) For every copy of an attachment and inventory of the
16 property attached, served upon the defendant, [~~\$2-~~]
17 \$__.



1 (4) For serving any execution, [~~12~~] ___ cents for every \$1
2 collected up to \$500, and [~~7~~] ___ cents for every \$1
3 over \$500.

4 (5) For serving: subpoena, [~~\$25~~] \$___; and subpoena duces
5 tecum or garnishee summons, [~~\$15~~] \$___ effective July
6 1, [~~2001~~] 2015.

7 (6) For every mile of travel, more than one, in serving
8 any process, [~~40~~] ___ cents; provided that:

9 (A) No allowance shall be made where the serving
10 individual uses a conveyance furnished the
11 serving individual by the State, or any political
12 or municipal subdivision thereof;

13 (B) Where the serving individual serves more than one
14 person in the course of one trip, the serving
15 individual shall not charge, in the aggregate for
16 all services, more than the mileage for the
17 entire trip; and

18 (C) As far as practicable, in order to minimize the
19 mileage fees for the service, the sheriff or
20 police chief of the serving police officers, or
21 independent civil process servers, where service



1 of process is to be made upon an island other
2 than that upon which is situated the court
3 issuing the process, shall cause the process to
4 be transmitted to the sheriff, deputy sheriff,
5 the chief of police, a police officer, or an
6 independent civil process server upon the island
7 of service, who shall make the service upon
8 receipt of the process; and the service shall be
9 valid, notwithstanding that the process may not
10 be addressed to the individual actually making
11 the service or to the individual's superior.

12 In lieu of any fee under this subsection, the fee may be an
13 hourly rate of not less than [~~\$50~~] \$__ per hour agreed upon in
14 advance between the party requesting the service and the
15 sheriff, deputy sheriff, police officer, or independent civil
16 process server performing the service."

17 SECTION 2. Section 607-8, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) For all necessary travel in making the service, per
20 mile for every mile more than one...[~~40~~] __ cents provided that:



1 (1) No allowance shall be made where the serving
2 individual uses a conveyance furnished the serving
3 individual by the State, or any political or municipal
4 subdivision thereof;

5 (2) Where the serving individual serves more than one
6 person in the course of one trip, the serving
7 individual shall not charge, in the aggregate for all
8 services more than the mileage for the entire trip;
9 and

10 (3) As far as practicable, in order to minimize the
11 mileage fees for the service, the sheriff or chief of
12 police of the serving police officers, or independent
13 civil process server from the department of public
14 safety's list under section 353C-10 shall cause the
15 process to be transmitted to the sheriff, deputy
16 sheriff, the chief of police, a police officer, or an
17 independent civil process server upon the island of
18 service who shall make the service upon receipt of the
19 process; and the service shall be valid,
20 notwithstanding that the process may not be addressed



1 to the individual actually making the service or to
2 the individual's superior.

3 For serving criminal summons or any other criminal process
4 except a subpoena, for each person served therewith
5 \$30 effective July 1, 2001. Service of
6 criminal summons or any other criminal process shall be made
7 only by persons authorized to serve criminal summons.

8 For serving civil summons or any other civil process,
9 except a subpoena or a garnishee summons, for each person
10 served therewith [~~\$25~~] \$__ effective July
11 1, [~~2001-~~] 2015.

12 For serving: subpoena, [~~for each person, \$25, and~~]
13 subpoena duces tecum, or garnishee summons, for each
14 person [~~\$15~~] \$__ effective July 1,
15 [~~2001-~~] 2015.

16 For returning as unserved after due and diligent search any
17 process when it has been found that the person to be served has
18 left the State [~~\$5~~] \$__ effective July 1,
19 [~~2001-~~] 2015.

20 For serving any execution or other process for the
21 collection of money, for every dollar collected up



1 to \$1,000 [5] ____

2 cents.

3 And for every dollar over \$1,000 ... [~~2-1/2~~] ____

4 cents.

5 All fees paid to any printer for publishing an
6 advertisement of the sale of any property.

7 For every bill of sale [~~\$2-~~]

8 \$ ____.

9 For executing and acknowledging a deed pursuant to a
10 sale of real estate to be paid by the grantee in the
11 deed..... [~~\$8-~~] \$ ____.

12 For drawing any bond required by law..... [~~\$2-~~]

13 \$ ____.

14 For serving writ of possession or restitution,
15 putting any person entitled into the possession of
16 premises, and removing a tenant pursuant to order of
17 court..... [~~\$25-~~] \$ ____.

18 Together with all necessary expenses incurred by the
19 individual serving the writ, incident to the eviction.



1 For selling any property on an order from the court other
2 than an execution, the same allowance as for service and sales
3 by execution.

4 The fees for service of executions, attachments, and
5 collection of judgments, together with all costs incurred after
6 judgment rendered, not included in the judgment, in all courts
7 of the State, shall be collected in addition to the sum directed
8 to be levied and collected in the writ.

9 In lieu of any fee under this subsection, the fee may be an
10 hourly rate of not less than [~~\$50~~] \$__ per hour agreed upon in
11 advance between the party requesting the service and the
12 sheriff, deputy sheriff, police officer, or independent civil
13 process server performing the service."

14 SECTION 3. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on June 29, 2015;
20 provided that the amendments made to sections 607-4(d) and 607-
21 8(a), Hawaii Revised Statutes, under sections 1 and 2 of this



1 Act, shall not be repealed when those sections are reenacted on
2 June 30, 2015, pursuant to section 25 of Act 116, Session Laws
3 of Hawaii 2013.



Report Title:

Service of Process Fees

Description:

Increases service of process fees. (HB346 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

